



City of Westminster

# Annual Council Agenda

Title: **Annual Council Meeting**

Meeting Date: **Wednesday 16th May, 2018**

Time: **7.00 pm**

Venue: **Westminster Council House, 97-113 Marylebone Road,  
London, NW1 5PT**

Members: **All Councillors are hereby summoned to attend the Meeting  
for the transaction of the business set out.**

**Admission to the public gallery is available from 6.30pm.**



**Please telephone if you are attending the meeting in a  
wheelchair or have difficulty walking up steps. There is  
wheelchair access via the Sammy Ofer Centre.**



**An Induction loop operates to enhance sound for anyone  
wearing a hearing aid or using a transmitter. If you require  
any further information, please contact the Committee  
Officer, Mick Steward, Head of Committee and Governance  
Services.**

**Email: [msteward@westminster.gov.uk](mailto:msteward@westminster.gov.uk) Tel: 020 7641 3134  
Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**1. ELECTION OF LORD MAYOR**

- (a) To elect the Lord Mayor for the ensuing year.
- (b) Declaration of Acceptance of Office by the newly elected Lord Mayor.

**2. MINUTES**

To sign the Minutes of the Meeting of the Council meeting held on 18 April 2018.

**(Pages 1 - 4)**

**3. LORD MAYOR'S COMMUNICATIONS**

- (a) Notification by the Lord Mayor of appointment of the Lord Mayor's Chaplain.
- (b) To present the past Lord Mayor's badge and other insignia.
- (c) Other Communications (if any).

**4. RETURN OF COUNCILLORS AND NOTIFICATION OF MEMBERS OF POLITICAL GROUPS INCLUDING LEADERS, DEPUTY LEADERS AND PARTY WHIPS**

The Chief Executive to submit a return of Councillors elected for the 20 wards in the City at the elections held on 3 May 2018 and details of the notification received of Members of the Political Groups including Leaders, Deputy Leaders and Party Whips.

**(Pages 5 - 8)**

**5. ELECTION OF LEADER OF THE COUNCIL**

To be moved by the Chief Whip of the Majority Party.

**6. DELEGATIONS TO LEADER**

To consider and receive a report of the Chief Executive and the Director of Law.

**(Pages 9 - 12)**

**7. NOTIFICATION BY THE LEADER OF THE COUNCIL OF CABINET MEMBERS AND RELATED MATTERS**

To receive from the Leader of the Council, notification of:

- (a) The Cabinet Members, including the Wards they represent and their delegated authorities;

**(Pages 13 - 46)**

- (b) The terms of reference of the Cabinet and any Cabinet Committees;
- (c) Any delegation of executive functions to any area committees or in any joint arrangements and delegations of executive functions to officers;
- (d) To notify any Lead Members and the areas of responsibility.

## **8. CONSTITUTIONAL MATTERS**

**(Pages 47 - 62)**

To receive and consider the report and recommendations of the Chief Executive and the Director of Law as to the appointment and proportional allocation of places on Standing Committees to the Political Groups on the Council in accordance with the Local Government (Committees and Political Groups) Regulations 1990 (as amended) and as to the appointment of members to Committees in accordance with those regulations.

**5 Strand  
London, WC2 5HR  
14 May 2018**

**Chief Executive**

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## CITY OF WESTMINSTER

### MINUTES OF PROCEEDINGS

At the Meeting of the Council of the City of Westminster held at 7.00 pm on Wednesday 18th April, 2018 at Westminster Council House, 97-113 Marylebone Road, London, NW1 5PT.

#### PRESENT

The Lord Mayor, Councillor Ian Adams

#### COUNCILLORS

Heather Acton  
Nickie Aiken  
Julia Alexander  
Barbara Arzymanow  
Daniel Astaire  
Richard Beddoe  
Rita Begum  
David Boothroyd  
Iain Bott  
Susie Burbridge  
Ruth Bush  
Melvyn Caplan  
Danny Chalkley  
Brian Connell  
Antonia Cox  
Thomas Crockett  
Peter Cuthbertson  
Robert Davis, MBE, DL  
Tony Devenish  
Paul Dimoldenberg  
Peter Freeman  
Jonathan Glanz  
Barbara Grahame  
Lindsey Hall  
Angela Harvey

David Harvey  
Richard Holloway  
Adam Hug  
Louise Hyams  
Aicha Less  
Patricia McAllister  
Guthrie McKie  
Tim Mitchell  
Gotz Mohindra  
Jan Prendergast  
Papya Qureshi  
Suhail Rahuja  
Robert Rigby  
Rachael Robathan  
Tim Roca  
Ian Rowley  
Karen Scarborough  
Andrew Smith  
Steve Summers  
Barrie Taylor  
Cameron Thomson  
Aziz Toki  
Judith Warner  
Jacqui Wilkinson  
Jason Williams

## **1 APPOINTMENT OF RELIEF CHAIRMAN**

- 1.1 Motion, moved by the Lord Mayor and seconded by Councillor Tim Mitchell, that Councillor Jan Prendergast be elected as Relief Chairman.
- 1.2 Motion put, and on a show of hands, declared **CARRIED**.

## **2 MINUTES**

- 2.1 The minutes of the proceedings at the Council meeting held on Wednesday 7 March 2018 were, with the assent of the Members present, signed by the Lord Mayor as a true record of the proceedings.

## **3 LORD MAYOR'S COMMUNICATIONS**

- 3.1 The Lord Mayor advised the Council, with deep regret, of the passing last week of Honorary Alderman Dr Cyril Nemeth. Dr Nemeth had served the Council as Lord Mayor in 1992-1993 with his devoted wife Lucille, as Lady Mayoress. In 2014, after he stepped down from the Council, he was appointed an Honorary Alderman in recognition of his outstanding service to the Council. He was awarded the MBE in 2012 for services to the local community and was also, for many years, a local Magistrate. He served on many Council committees and was the Chairman of the Social Services Committee.
- 3.2 The Council stood in silence in memory of Hon Alderman Dr Cyril Nemeth, MBE, following which Councillors Jan Prendergast, Judith Warner, Paul Dimoldenberg and Nickie Aiken spoke in tribute.

## **4 DECLARATIONS OF INTEREST**

- 4.1 There were none.

## **5 PETITIONS AND DEPUTATIONS, IF ANY**

- 5.1 Councillor Angela Harvey presented a petition from Pimlico residents opposed to a Nine Elms Bridge. The petition was referred to the relevant Chief Officer for reporting to the Cabinet Member.

## **6 QUESTIONS**

- 6.1 The questions, supplementary questions and replies are included on the Council's website.

## **7 COUNCILLOR ISSUES**

### **(a) Employment and the Local Economy**

Councillor Guthrie McKie spoke and Councillor Tim Mitchell replied.

**(b) Great Expectations: Reflections on a Demanding Community**

Councillor Brian Connell spoke and Councillor Nickie Aiken replied.

**8 STATEMENT OF URGENT BUSINESS**

8.1 There was no urgent business.

**9 VOTE OF THANKS TO LORD MAYOR**

9.1 Motion moved by Councillor Melvyn Caplan, seconded by Councillor Heather Acton, that the Council resolve to record a Vote of Thanks to Councillor Ian Adams. That the Council resolve to record a Vote of Thanks to Councillor Ian Adams for the distinguished service rendered by him as Lord Mayor and to his Consort, Mr Christopher Colosimo, for the constant and invaluable help given by him as the Lord Mayor's Consort. We assure them of our gratitude for, and high appreciation of, the dignity and ability with which they have carried out their many duties in accordance with the highest traditions of the City and this Vote of Thanks be inscribed on Vellum under the Common Seal and presented to them.

9.2 Motion put, and on a show of hands, declared **CARRIED** following which the Lord Mayor replied.

**RESOLVED:**

1. That the Council resolve to record a Vote of Thanks to Councillor Ian Adams for the distinguished service rendered by him as Lord Mayor and to his Consort, Mr Christopher Colosimo, for the constant and invaluable help given by him as the Lord Mayor's Consort.
2. We assure them of our gratitude for, and high appreciation of, the dignity and ability with which they have carried out their many duties in accordance with the highest traditions of the City and this Vote of Thanks be inscribed on Vellum under the Common Seal and presented to them.

**10 VOTE OF THANKS TO OUTGOING COUNCILLORS**

10.1 Moved by Councillor Nickie Aiken and seconded by Councillor Adam Hug, that the Council place on record its appreciation for the services rendered to the City by Councillors Julia Alexander, Daniel Astaire, Paul Church, Brian Connell, Baroness Couttie, Tom Crockett, Peter Cuthbertson, Nick Evans, J P Floru, Barbara Grahame, Adnan Mohammed, Suhail Rahuja, Glenys Roberts, Steve Summers, Barrie Taylor and Cameron Thomson, together with any other Councillors not re-elected at the forthcoming City Council elections and also former Councillors Edward Argar, Nilavra Mukerji and Vincenzo Rampulla who stood down during this term. We also remember at this time former Councillor Audrey Lewis who sadly died during this term.

10.2 Motion put and on a show of hands declared **CARRIED**.

**RESOLVED:**

1. That the Council place on record its appreciation for the services rendered to the City by Councillors Julia Alexander, Daniel Astaire, Paul Church, Brian Connell, Baroness Couttie, Tom Crockett, Peter Cuthbertson, Nick Evans, J P Floru, Barbara Grahame, Adnan Mohammed, Suhail Rahuja, Glenys Roberts, Steve Summers, Barrie Taylor and Cameron Thomson, together with any other Councillors not re-elected at the forthcoming City Council elections and also former Councillors Edward Argar, Nilavra Mukerji and Vincenzo Rampulla who stood down during this term. We also remember at this time former Councillor Audrey Lewis who sadly died during this term.

**11 FUTURE POLICY PLAN**

11.1 No items were selected for debate.

**12 REPORT OF THE STANDARDS COMMITTEE**

12.1 The Lord Mayor put the recommendation in paragraph 1 of the Standards Committee report to the vote and on a show of hands declared the recommendation **ADOPTED**.

**Resolved:**

1. That the Council approve the following addition to the Register of Interest form to be completed by all Members and Co-opted Members, as follows:
2. New Section 11 – Please list, including dates where possible, all training undertaken to prepare you for your role as a Councillor and for continuous professional development as a public representative.

The Meeting ended at 9.48 pm

**CHAIRMAN:** \_\_\_\_\_

**DATE** \_\_\_\_\_





City of Westminster

## Annual Council Report

<b>Date:</b>	<b>16 May 2018</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Return of Councillors and Notification of Members of Political Groups, including Leaders, Deputy Leaders and Party Whips</b>
<b>Report of:</b>	<b>Chief Executive</b>
<b>Wards Involved:</b>	<b>Not applicable</b>
<b>Policy Context:</b>	<b>Management of the Council</b>
<b>Financial Summary:</b>	<b>None</b>
<b>Report Author and Contact Details:</b>	<b>Mick Steward Head of Committee and Governance Services Tel: 7641 3134 Email: <a href="mailto:msteward@westminster.gov.uk">msteward@westminster.gov.uk</a></b>

### **1. Executive Summary**

- 1.1 This report sets out details of the Councillors elected at the Election held on 3 May 2018 and the notification received of the Membership of political groups on the Council. It will be seen that there are 41 Conservative Group Members and 19 Labour Group Members.
- 1.2 Notification has been received that the Leader of the Majority Group is Councillor Nickie Aiken, the Deputy Leader, Councillor David Harvey and Chief Whip, Councillor Tim Mitchell. The Minority Party have notified that their Leader is Councillor Adam Hug and Chief Whip, Councillor Guthrie McKie. Their Deputy Leader is Councillor Patricia McAllister.

### **2. Recommendations**

- 2.1 That the return of Councillors elected, and their respective Wards, at the City Council elections on 3 May 2018 as set out in Appendix A, including the Membership of the respective political groups, be noted.
- 2.2 That the Group Officers, as set out in paragraph 1.2 above, be noted.

**If you have any queries about this Report or wish to inspect any of the Background Papers please contact Mick Steward; Tel: 020 7641 3134  
Email: [msteward@westminster.gov.uk](mailto:msteward@westminster.gov.uk)**

**Background Papers:** Notifications from Parties

**Appendix A:** List of Councillors

## RETURN OF COUNCILLORS

<b>Abbey Road</b>	Peter Freeman	(Conservative)
	Lindsey Hall	(Conservative)
	Judith Warner	(Conservative)
<b>Bayswater</b>	Maggie Carman	(Labour)
	Francis Elcho	(Conservative)
	Emily Payne	(Conservative)
<b>Bryanston and Dorset Square</b>	Barbara Arzymanow	(Conservative)
	Richard Beddoe	(Conservative)
	Eoghain Murphy	(Conservative)
<b>Church Street</b>	Aicha Less	(Labour)
	Matt Noble	(Labour)
	Aziz Toki	(Labour)
<b>Churchill</b>	Murad Gassanly	(Conservative)
	Andrea Mann	(Labour)
	Shamim Talukder	(Labour)
<b>Harrow Road</b>	Ruth Bush	(Labour)
	Guthrie McKie	(Labour)
	Tim Roca	(Labour)
<b>Hyde Park</b>	Heather Acton	(Conservative)
	Ian Adams	(Conservative)
	Antonia Cox	(Conservative)
<b>Knightsbridge and Belgravia</b>	Antony Devenish	(Conservative)
	Elizabeth Hitchcock	(Conservative)
	Rachael Robathan	(Conservative)
<b>Lancaster Gate</b>	Susie Burbidge	(Conservative)
	Robert Davis	(Conservative)
	Andrew Smith	(Conservative)
<b>Little Venice</b>	Melvyn Caplan	(Conservative)
	Lorraine Dean	(Conservative)
	Matthew Green	(Conservative)
<b>Maida Vale</b>	Geoff Barraclough	(Labour)
	Rita Begum	(Labour)
	Nafsika Butler-Thalassis	(Labour)

<b>Marylebone High Street</b>	Iain Bott	(Conservative)
	Ian Rowley	(Conservative)
	Karen Scarborough	(Conservative)
<b>Queen's Park</b>	Paul Dimoldenberg	(Labour)
	Patricia McAllister	(Labour)
	Hamza Taouzzale	(Labour)
<b>Regent's Park</b>	Gotz Mohindra	(Conservative)
	Robert Rigby	(Conservative)
	Paul Swaddle	(Conservative)
<b>St James's</b>	Louise Hyams	(Conservative)
	Tim Mitchell	(Conservative)
	Mark Shearer	(Conservative)
<b>Tachbrook</b>	Jim Glen	(Conservative)
	Angela Harvey	(Conservative)
	James Spencer	(Conservative)
<b>Vincent Square</b>	Danny Chalkley	(Conservative)
	David Harvey	(Conservative)
	Selina Short	(Conservative)
<b>Warwick</b>	Nickie Aiken	(Conservative)
	Christabel Flight	(Conservative)
	Jacqui Wilkinson	(Conservative)
<b>West End</b>	Timothy Barnes	(Conservative)
	Jonathan Glanz	(Conservative)
	Pancho Lewis	(Labour)
<b>Westbourne</b>	David Boothroyd	(Labour)
	Adam Hug	(Labour)
	Papya Qureshi	(Labour)



City of Westminster

## Annual Council Report

<b>Date:</b>	<b>16 May 2018</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Delegations to the Leader</b>
<b>Report of:</b>	<b>The Chief Executive</b>
<b>Wards Involved:</b>	<b>Not applicable</b>
<b>Policy Context:</b>	<b>Management of the Council</b>
<b>Financial Summary:</b>	<b>None</b>
<b>Report Author and Contact Details:</b>	<b>Mick Steward</b> <b>Tel: 7641 3134</b> <b>Email: <a href="mailto:msteward@westminster.gov.uk">msteward@westminster.gov.uk</a></b>

### **1. Executive Summary**

- 1.1 This report notifies the following in accordance with Standing Orders the Terms of Reference of the Leader.

### **2. Recommendations**

- 2.1 That the Terms of Reference of the Leader be noted.

### **3. Background**

- 3.1 This report is submitted in accordance with Standing Order 2 (c) (vii) which requires the matters, set out in paragraph 2.1, to be referred to the Annual Meeting of the Council, in the year of ordinary elections, for noting.
- 3.2 Under the terms of the City Council's constitution the full Council notes the terms of reference of the Leader. The Leader determines the terms of reference of the individual Cabinet Members, the Cabinet and any Committees of the Cabinet. These are set out in a separate report elsewhere on the Agenda.
- 3.3 The terms of reference are therefore submitted for noting endorsement as required by Standing Orders.

**If you have any queries about this Report or wish to inspect any of the Background Papers please contact Mick Steward; Tel: 020 7641 3134  
Email: [msteward@westminster.gov.uk](mailto:msteward@westminster.gov.uk)**

**BACKGROUND PAPERS: None**

**APPENDICES:**

Appendix A – Terms of Reference of the Leader

## **THE LEADER (CABINET MEMBER)**

1. To provide leadership to the Cabinet in the delivery of City Policy, City for All and Corporate Strategy.
2. To chair the Cabinet meetings, appoint/dismiss other Cabinet members and the Deputy Leader and appoint/dismiss committees of the Cabinet with terms of reference.
3. To determine the terms of reference of the Cabinet, the Deputy Leader and other individual Cabinet Members.
4. To exercise any executive function not otherwise allocated to either the Cabinet or any other individual Cabinet Member, or to delegate such functions to another Cabinet Member, a committee of the Cabinet, or to an officer.
5. In the absence or unavailability of another Cabinet Member, or on written notice to the relevant Cabinet Member, the Leader may exercise any of that Cabinet Member's functions him or herself or arrange for the discharge of those functions by another Cabinet Member(s), a committee of the Cabinet, or an officer, including those functions of the full Cabinet.
6. To co-ordinate links with external bodies and agencies in which the City Council has an interest, including the Royal Parks Board, and to optimise the benefits of those arrangements, including those where the lead is with another Cabinet Member.
7. To have oversight of the Council's links with the local authority associations and to act as Lead Member on the Local Government Association and London Councils.
8. To have general oversight and responsibility for Government relations and public affairs in so far as they affect the Council's interests.
9. To be responsible for the Council's Policy, Performance and Communications directorate, including the delivery of the Strategy and Communications Plan, Member Services, ceremonial and Lord Mayoral matters and the City Promotions, Events and Filming service.
10. To be responsible for the Council's People Services function, including all Human Resources and staffing matters. Corporate personnel, policy and management matters, including in particular:
  - grievance, grading and disciplinary appeals;
  - training, development and staff education;
  - health, safety and welfare;
  - staff consultative and industrial relations arrangements;
  - recruitment and selection;
  - superannuation, pensions, compensations and gratuities.

11. To have responsibility for matters relating to Westco which require an executive decision of the Council.
12. To be responsible for the Council's Equalities Policy.
13. To refer matters for consideration by the Cabinet in accordance with paragraph 2(1)(e) of the Terms of Reference of the Cabinet.
14. To appoint and determine the membership and terms of reference of any non-decision making Cabinet Working Parties.
15. To be responsible for Emergency Planning including relationship with the Local Fire Authority including to have general oversight of the Council's civic contingency planning arrangements and security (this relates to requests from the Metropolitan Police Service, Cabinet Office, Government Security Services and third parties for action by the City Council, which are sought in response to security issues).
16. To appoint and determine the terms of reference of any non-decision making Lead Members.
17. To agree or confirm arrangements for the establishment of joint committees under Section 101 (5) of the Local Government Act 1972 in so far as the functions of any such joint committee are executive functions and to appoint Members thereto, save to the extent that the Leader delegates this function to another Cabinet Member or Cabinet Members.
18. Partnerships not included in the Terms of Reference of any other Cabinet Member.
19. To conduct the annual appraisal, including the setting of annual targets, of the Chief Executive and make an award in accordance with the Performance Related Pay Scheme currently in place, having regard to a report of the Director of People Services which shall include the views of the Council's External Adviser (if any) appointed for these purposes, the Deputy Leader of the Council, the Leader of the Opposition and such other Members or Officers as the Leader and/or the Director of People Services shall consider appropriate.





City of Westminster

## Annual Council Report

<b>Date:</b>	<b>16 May 2018</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Notification of Cabinet Members and Related Matters</b>
<b>Report of:</b>	<b>The Chief Executive</b>
<b>Wards Involved:</b>	<b>Not applicable</b>
<b>Policy Context:</b>	<b>Management of the Council</b>
<b>Financial Summary:</b>	<b>None</b>
<b>Report Author and Contact Details:</b>	<b>Mick Steward Head of Committee and Governance Services Tel: 7641 3134 Email: <a href="mailto:msteward@westminster.gov.uk">msteward@westminster.gov.uk</a></b>

### 1. Summary

- 1.1 This report, submitted at the request of the Leader of the Majority Party, sets out the information, as required by Standing Order 2(2)(v)(a). These appointments are subject to the Leader of the Majority Group being elected as Leader of the Council at the Annual Meeting.

### 2. Recommendations of the Leader of the Majority Group

- 2.1 That the names of the Cabinet Members, the wards they represent and their delegated authorities, together with their deputies, be noted.
- 2.2 That the terms of reference of the Cabinet and the Cabinet Urgency Committee be noted.

### 3. Background

- 3.1 The Council's Standing Orders require the elected Leader of the Council to submit in a year of ordinary elections of Councillors the information set out below:

- names of Cabinet Members and their Wards.
- their delegated authorities (i.e. terms of reference).
- the terms of reference of the Cabinet and any Cabinet Committees

- 3.2 The City Council's Constitution requires the Leader of the Council, in addition to the matters set out in paragraph 3.1 above, to advise at the Annual Council Meeting of any area committees or joint arrangements with other local authorities and the delegations of executive functions to officers.
- 3.3 In appointing a Lead Member for Family Services and Public Health the Leader has confirmed that she has taken into account the statutory guidance issued by the Department for Education in April 2013 - The roles and responsibilities of the Director of Children's Services and the Lead Member for Children's Services. In creating a combined portfolio of a Lead Member for Children's Services and Public Health the Leader has considered the breadth of responsibilities this role creates and does not consider a combined role will impact on the member's ability to undertake the responsibilities across this portfolio and that they will be able lead on the Council's aims and vision across the whole portfolio.
- 3.4 There are no Area Committees. Details of the joint Committees with other Local Authorities are set out in Article 11 of the Constitution.
- 3.5 Details of the executive functions delegated to Officers are as set out in Appendix 7 of the Constitution.
- 3.6 The Constitution will be updated to reflect the changes included here and in other reports on this agenda by the Director of Law in accordance with his existing delegation.
- 3.7 Should be noted that in accordance with the Constitution the Leader may, upon notice to the proper officer, amend the Terms of Reference of the Cabinet and any Cabinet Committee and also the Terms of Reference of individual Cabinet Members.

If you have any queries about this report or wish to inspect any of the background papers please contact Mick Steward on  
Tel: 020 7641 3134;  
Email: [msteward@westminster.gov.uk](mailto:msteward@westminster.gov.uk)

#### **BACKGROUND PAPERS:**

- Constitution

#### **APPENDICES:**

APPENDIX A – Members of the Cabinet, Deputy Cabinet Member and Wards

APPENDIX B - Cabinet Member Terms of Reference

APPENDIX C – Cabinet and Cabinet Urgency Committee Terms of Reference

**APPENDIX A**

<b>Portfolio</b>	<b>Name</b>	<b>Address for Correspondence</b>	<b>Ward</b>
Leader of the Council	Councillor Nickie Aiken	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Warwick
Deputy Leader and Economic Development, Education and Community	Councillor David Harvey	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Vincent Square
Finance, Property and Regeneration	Councillor Rachael Robathan	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Knightsbridge and Belgravia
Public Protection and Licensing	Councillor Ian Adams	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Hyde Park
Housing and Customer Services	Councillor Andrew Smith	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Lancaster Gate
Place Shaping and Planning	Councillor Richard Beddoe	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Bryanston and Dorset Square
Environment and City Management	Councillor Tim Mitchell	Westminster City Hall 64 Victoria Street London, SW1E 6QP	St James
Family Services and Public Health	Councillor Heather Acton	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Hyde Park

AREA	DEPUTY CABINET MEMBER
Economic Development, Education and Community	Councillor Jacqui Wilkinson
Environment and City Management	Councillor Karen Scarborough
Family Services and Public Health	Councillor Iain Bott and Christabel Flight
Housing and Customer Services	Councillor Murad Gassanly
Finance, Property and Regeneration	Councillor Robert Rigby
Place Shaping and Planning	
Public Protection and Licensing	Councillor Louise Hyams

**THE LEADER (CABINET MEMBER)**

1. To provide leadership to the Cabinet in the delivery of City Policy, City for All and Corporate Strategy.
2. To chair the Cabinet meetings, appoint/dismiss other Cabinet members and the Deputy Leader and appoint/dismiss committees of the Cabinet with terms of reference.
3. To determine the terms of reference of the Cabinet, the Deputy Leader and other individual Cabinet Members.
4. To exercise any executive function not otherwise allocated to either the Cabinet or any other individual Cabinet Member, or to delegate such functions to another Cabinet Member, a committee of the Cabinet, or to an officer.
5. In the absence or unavailability of another Cabinet Member, or on written notice to the relevant Cabinet Member, the Leader may exercise any of that Cabinet Member's functions him or herself or arrange for the discharge of those functions by another Cabinet Member(s), a committee of the Cabinet, or an officer, including those functions of the full Cabinet.
6. To co-ordinate links with external bodies and agencies in which the City Council has an interest, including the Royal Parks Board, and to optimise the benefits of those arrangements, including those where the lead is with another Cabinet Member.
7. To have oversight of the Council's links with the local authority associations and to act as Lead Member on the Local Government Association and London Councils.
8. To have general oversight and responsibility for Government relations and public affairs in so far as they affect the Council's interests.
9. To be responsible for the Council's Policy, Performance and Communications directorate, including the delivery of the Strategy and Communications Plan, Member Services, ceremonial and Lord Mayoral matters and the City Promotions, Events and Filming service.
10. To be responsible for the Council's People Services function, including all Human Resources and staffing matters. Corporate personnel, policy and management matters, including in particular:

- grievance, grading and disciplinary appeals;
  - training, development and staff education;
  - health, safety and welfare;
  - staff consultative and industrial relations arrangements;
  - recruitment and selection;
  - superannuation, pensions, compensations and gratuities.
11. To have responsibility for matters relating to Westco which require an executive decision of the Council.
  12. To be responsible for the Council's Equalities Policy.
  13. To refer matters for consideration by the Cabinet in accordance with paragraph 2(1)(e) of the Terms of Reference of the Cabinet.
  14. To appoint and determine the membership and terms of reference of any non-decision making Cabinet Working Parties.
  15. To be responsible for Emergency Planning including relationship with the Local Fire Authority including to have general oversight of the Council's civic contingency planning arrangements and security (this relates to requests from the Metropolitan Police Service, Cabinet Office, Government Security Services and third parties for action by the City Council, which are sought in response to security issues).
  16. To appoint and determine the terms of reference of any non-decision making Lead Members.
  17. To agree or confirm arrangements for the establishment of joint committees under Section 101 (5) of the Local Government Act 1972 in so far as the functions of any such joint committee are executive functions and to appoint Members thereto, save to the extent that the Leader delegates this function to another Cabinet Member or Cabinet Members.
  18. Partnerships not included in the Terms of Reference of any other Cabinet Member.
  19. To conduct the annual appraisal, including the setting of annual targets, of the Chief Executive and make an award in accordance with the Performance Related Pay Scheme currently in place, having regard to a report of the Director of People Services which shall include the views of the Council's External Adviser (if any) appointed for these purposes, the Deputy Leader of the Council, the Leader of the Opposition and such other Members or Officers as the Leader and/or the Director of People Services shall consider appropriate.

## **DEPUTY LEADER (CABINET MEMBER)**

1. To exercise the functions of the Leader in the absence or unavailability of the Leader, except the appointment and dismissal of Cabinet Members.

## **CABINET MEMBER FOR ENVIRONMENT AND CITY MANAGEMENT**

### **1. ENVIRONMENTAL SUSTAINABILITY, AIR QUALITY AND BIODIVERSITY**

- a) To be responsible for the implementation of the Council's Greener City Action Plan.
- b) To co-ordinate the Council's role and response to cross-cutting sustainability issues such as reducing carbon emissions, improving air quality through the statutory Air Quality Action Plan projections of a changing climate locally, improving resource efficiency and developing sustainable energy. To do so in consultation with the Cabinet Member for Family Services and Public Health.
- c) To be responsible for the City Council's statutory functions in relation to biodiversity.

### **2. PARKS AND OPEN SPACES**

- a) To be responsible for public parks and public open spaces managed by the Council, including hanging baskets, public toilets and cemeteries

### **3. STREET CLEANSING**

- a) To be responsible for the Council's street cleansing duties.

### **4. WASTE AND RECYCLING**

- a) To be responsible for the Council's waste collection, disposal and recycling duties, including bulky refuse.

### **5. HIGHWAYS AND TRANSPORT**

- a) The discharge of the City Council's functions under the discharges statutory powers within Highways Acts including the Highways Act 1980 and the Traffic Management Act 2004
- b) To be responsible for the Council's work in delivering a clean, safe and welcoming street environment.
- c) To be responsible for planned roads and highway maintenance including public lighting, bridges and other structures as well as the transportation works budget other related and capital projects.
- d) Lead on major transport projects and the management of major transport schemes, including:
  - Major transport initiatives, including local road safety schemes;
  - Agreeing the Local Implementation Plan;
  - Relations with Transport for London (TfL);



- Relations with utilities in Westminster, including the operation of the utilities permit scheme;
- Public Transport functions;

## 6. PARKING

- To be responsible for the Council's Parking policy and enforcement matters relating to parking.

## 7. ROAD SAFETY

- To be responsible for the Council's road safety functions including action to tackle pedicabs.
- To be responsible for pedestrian safety including school crossing patrols.

## 8. WALKING AND CYCLING STRATEGIES

- To be responsible for the Council's walking and cycling strategies.

## 9. CONTRACTS

Subject to the policies and procedures approved by the Cabinet Member for Finance, Property and Regeneration:

- To agree the general levels of service for all term contracts that are being let for the first time. In the case of contracts being re-let over the value of £1.5m to approve the service levels only where, in the opinion of the Executive Director, there are significant changes to these since the last contract award.
- To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance, Property and Regeneration on the basis that there are corporate or major implications which need to be considered.
- To monitor the performance of contracts relating to the Cabinet Member's terms of reference let by the said Cabinet Member for the first time or where the re-let of the contract has significant changes to service levels after the first six months after the award of the contract.
- To monitor all contracts within the terms of reference of the Cabinet Member where the contract value exceeds £1,500,000 (£300,000 in respect of consultant's agreements).
- To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.

- f) To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
- g) To make decisions on requests for waiver of the Procurement Code in respect of contracts with overall values of more than £1,500,000 (£300,000 for consultancy agreements) for contracts within the Cabinet Member's terms of reference).
- h) To consider such other contractual matters as may be required by the Procurement Code.
- i) To consider settlement of disputes which exceed £150,000.
- j) To receive a briefing note advising of a contract award by an Executive Director or Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

#### 10. STAFFING MATTERS

- a) Staffing matters in respect of matters which fall within the scope of these Terms of Reference.
- b) Subject also to the endorsement of the Cabinet Member for Finance, Property and Regeneration where proposals involve redundancy/"early retirement" payments.

#### 11. FINANCIAL MATTERS

- a) To approve capital expenditure in accordance with the Financial Regulations on schemes within the terms of reference for the Cabinet Member which form part of the approved capital programme.

#### 12. ETHICAL STANDARDS

- a) To have responsibility for ensuring that all activities within the remit of the Cabinet Member are carried out having regard to the highest ethical standards.

#### 13. CONSULTATION

- a) To consult with other Cabinet Members on major matters affecting this portfolio, as appropriate, to enable them to maintain a general oversight across portfolios as described in their terms of reference.

## **CABINET MEMBER FOR FAMILY SERVICES AND PUBLIC HEALTH**

### **1. ADULT SOCIAL CARE AND PUBLIC HEALTH**

- a) Social Services functions within the meaning of the Local Authorities Social Services Acts (including the Care Act, Mental Health Act and Mental Capacity Act) and any other enactment or associated guidance in so far as they relate to Adult Social Care or Public Health functions of local government including but not limited to, support for:
- Older people, who may receive support in residential care homes, nursing homes, care in their home, meals on wheels, day centres, lunch clubs and other community based support.
  - Adults with physical disabilities or learning disabilities in all settings.
  - Adults with mental health needs, ranging from support for those with mild mental illness, up to exercising legal powers for compulsory admission to psychiatric hospitals or specialist wards Adults with substance or alcohol abuse needs, and ex-offenders who require support with re-settlement.
  - Asylum seekers.
  - Unpaid/ informal Carers (as defined in the Care Act) providing necessary care and support to a friend, family member or loved one.
- b) The provision/ commissioning of quality care and support services for vulnerable adults, and ensuring adequate standards in partnership with regulatory bodies where relevant to ensure safeguards are in place to protect service users.
- c) Safeguarding of vulnerable adults in line with the requirements of the Care Act 2014 and the practices recommended by the Pan London Safeguarding Adults Agreement.
- d) Sexual health services

### **2. NHS**

- (a) Leading the Council's relationships with local health services.
- (b) To be responsible for the Council's relations with the NHS and clinical commissioning groups, including Council functions under Section 75 of the Health Act 2006
- (c) Health related functions exercised on behalf of an NHS body insofar as they relate to Adults.

### **3. HEALTH PARTNERSHIPS**

- (a) To act as Chairman of the Health and Wellbeing Board and champion the health of people in Westminster across the full range of issues which may negatively or positively impact on physical or mental health.

This may include issues such as air quality. This may often involve close working with other Cabinet Members or partner agencies.

#### 4. CHILDREN'S SERVICES AND SAFEGUARDING

- (a) To be the Cabinet Member with political responsibility for Children's Services as designated under Section 19 (1) of the Children's Act 2004 and other relevant legislation including:
- Social Services functions within the meaning of the Local Authorities Social Services Act 1970 in so far as they relate to children and the Council's Functions for children and young people leaving care.
  - Education functions in the Council's capacity as a Local Education Authority except those relating to higher and further education, in consultation with the Cabinet Member for Education, Economic Development and Community.
  - Health related functions exercised on behalf of an NHS body in so far as they relate to children.
  - Inter-agency co-operation functions as set out in the Children Act 2004.
  - Looked After Children and Care Leavers, including unaccompanied Children Asylum Seekers;
  - Young Carers.
- (b) To be responsible for the Council's Multi-Agency Protection Arrangements.
- (c) The Cabinet Member must have direct responsibility and provide a clear line of accountability for local authority children's social services. Also any section 75 arrangements relating to children's health.
- (d) Matters relating to Youth Offending, Youth Employment and Gangs in collaboration with the Cabinet Member for Public Protection and Licensing
- (e) To lead the Council's Family Recovery Troubled Families project and the co-ordination of relevant Cabinet Member departments to develop and implement the strategy.

#### 5. STAFFING MATTERS

- (a) Staffing matters in respect of Adults Social Care, Public Health Services and Children's Services.

- (b) Subject also to the endorsement of the Cabinet Member for Finance, Property and Regeneration where proposals involve redundancy/“early retirement” payments.

## 6. PROPERTY MANAGEMENT

Policy matters in relation to all property assets of the Council allocated for use for operational and service purposes in relation to Family and People Services except:

- (a) Those properties managed corporately; and
- (b) Those properties also used for another Council purpose where the service is a minor user.

## 7. CONTRACTS

Subject to the policies and procedures approved by the Cabinet Member for Finance, Property and Regeneration:

1. To agree the general levels of service for all term contracts that are being let for the first time. In the case of contracts being re-let over the value of £1.5m to approve the service levels only where, in the opinion of the Executive Director, there are significant changes to these since the last contract award.
2. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance, Property and Regeneration on the basis that there are corporate implications which need to be considered.
3. To monitor the performance of contracts relating to the Cabinet Member’s terms of reference let by the said Cabinet Member for the first time or where the re-let of the contract has significant changes to service levels after the first six months after the award of the contract.
4. To monitor all contracts within the terms of reference of the Cabinet Member where the contract value exceeds £1,500,000 (£300,000 in respect of consultant’s agreements).
5. To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.
6. To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member’s terms of reference.

7. To make decisions on requests for waiver of the Procurement Code in respect of contracts with overall values of more than £1,500,000 (£300,000 for consultancy agreements) for contracts within the Cabinet Member's terms of reference).
  8. To consider such other contractual matters as may be required by the Procurement Code.
  9. To consider settlement of disputes which exceed £150,000.
  10. To receive a briefing note advising of a contract award by an Executive Director or Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.
8. FINANCIAL MATTERS
- (a) To approve capital expenditure in accordance with the Financial Regulations on schemes within these terms of reference which form part of the approved capital programme.
9. ETHICAL STANDARDS
- (a) To have responsibility for ensuring that all activities within the remit of the Cabinet Member are carried out having regard to the highest ethical standards.
10. CONSULTATION
- (a) To consult with other Cabinet Members on major matters affecting this portfolio, as appropriate, to enable them to maintain a general oversight across portfolios as described in their terms of reference.

## **CABINET MEMBER FOR FINANCE, PROPERTY AND REGENERATION**

### **1. REGENERATION**

- (a) To be responsible for estate and community regeneration programmes, including liaison with other Cabinet Members where regeneration programmes overlap with other areas of responsibility;
- (b) Provision by the Council of new housing within the City by way of new construction and conversion of existing buildings, (including actions undertaken in accordance with the draft Westminster Housing Strategy, the Westminster Strategy – Direction of Travel Statement, Community Build programme, and actions undertaken by the Westminster Community Homes charitable organisation, including funding);
- (c) Acquisition of properties by Compulsory Purchase for housing purposes;
- (d) Declaration of clearance, general improvement and housing action areas and the implementation of proposals for the acquisition, improvement and/or conversion of properties in such areas.
- (e) To be responsible for the allocation policy for the affordable housing fund provisions made in accordance with S106 of the Town and Country Planning Act 1990, together with the Cabinet Member for Housing and Customer Services;
- (e) Specialist Housing Strategy for Older People programme;
- (f) Responsible for the Council's Wholly Owned Housing Development Company.

### **2. STRATEGIC FINANCE**

- (a) To have responsibility for Strategic Finance and all other strategic matters where these, in the opinion of the Cabinet Member for Finance, Property and Regeneration have significant implications across portfolios.

### **3. FINANCIAL MANAGEMENT**

- (a) Within the approved budget framework, the determination of general policy and overall strategy for the Council's financial practices and procedures (Financial Regulations);
- (b) To monitor regularly all capital expenditure against the approved programme and estimates including changes which can be contained within the overall programme;

- (c) To monitor regularly all expenditure out of revenue against the approved annual estimates;
- (d) Within the approved budget framework to determine any re-allocation of funds between Services during the financial year;
- (e) Matters relating to the implementation of the Council's Treasury Management Strategy;
- (f) To give directions on any proposals for expenditure, which Cabinet Members cannot meet from their respective Revenue or Capital estimates, and to advise the Cabinet of the decisions taken including any instances where the Cabinet Member for Finance, Property and Regeneration is minded to defer or refuse a proposal which shall be referred to the Cabinet for a decision.

#### 4. FINANCIAL AND ASSET ADMINISTRATION

- (a) Revenue Collection;
- (b) Borrowing, lending and investments;
- (c) Internal audit, economy in expenditure and value for money in the provision and management of the Council's administration and services;
- (d) To authorise expenditure within approved capital budgets on matters within the terms of reference of the Cabinet Member for Finance, Property and Regeneration;
- (e) Supplies and central purchasing, including printing, stationery and office equipment;
- (f) Provision of the Council's vehicle fleet;
- (g) Endorsement of any staffing proposals involving redundancy/early retirement payments referred to another Cabinet Member for decision;
- (h) Benefits and benefits policy;
- (i) To be responsible for the City Council's policy in respect of business rates.

#### 5. CORPORATE PROPERTY POLICY, PLANNING AND STRATEGY

- (a) The determination of policy, planning and strategy matters in relation to all property assets of the Council allocated for use for operational and service purposes.
- (b) To be responsible for all property assets except those allocated to other Cabinet Members;



- (c) To determine the future of property identified by other Cabinet Members as surplus to their requirements;
- (d) To settle any disagreement in relation to proposals by service departments for repairs, alterations or improvements and the acquisition of new premises by construction, purchase or leasing.
- (e) To oversee the City Hall programme and working accommodation for all Council staff.

## 6. PROCUREMENT AND CONTRACT MANAGEMENT

- (a) To control and determine the policies and procedures, including the Procurement Code relating to contracts entered into by the City Council, including contract management and central commissioning.
- (b) To control and determine the policies relating to market testing; competitive tendering; business units; to manage the strategic implementation of a Value for Money framework across the City Council and to determine the City Council's policy in relation to externalisation.
- (c) To maintain an overview of overall contract performance on behalf of the City Council.
- (d) On the advice of the Chief Executive, to review and take decisions on any City Council contract which is giving cause for concern and to inform the appropriate Cabinet Member of the action taken.
- (e) To award contracts which have been referred to the Cabinet Member for Finance, Property and Regeneration on the basis that there are corporate or major implications which need to be considered.
- (f) To agree the general levels of service for all term contracts that are being let for the first time within the terms of reference of the Cabinet Member. In the case of contracts being re-let over the value of £1.5m to approve the service levels only where, in the opinion of the Executive Director, there are significant changes to these since the last contract award.
- (g) To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer.
- (h) To monitor the performance of contracts relating to the Cabinet Member's terms of reference let by the said Cabinet Member for the first time or where the re-let of the contract has significant changes to service levels after the first six months after the award of the contract.

- (i) To monitor all contracts within the terms of reference of the Cabinet Member where the contract value exceeds £1,500,000 (£300,000 in respect of consultant's agreements).
- (j) To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.
- (k) To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
- (l) To make decisions on requests for waiver of the Procurement Code in respect of contracts with overall values of more than £1,500,000 (£300,000 for consultancy agreements) for contracts within the Cabinet Member's terms of reference.
- (m) To consider such other contractual matters as may be required by the Procurement Code.
- (n) To consider settlement of disputes which exceed £150,000.
- (o) To receive a briefing note advising of a contract award by an Executive Director or Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

## 7. OTHER MATTERS

- (a) To be responsible for legal services used by the Council and other functions within the Legal Services Unit of the Department of Corporate Services.
- (b) To be responsible for managed services e.g. back office functions relating to payments, staffing and contracting.

## 8. FINANCIAL MATTERS

- (a) To approve capital expenditure in accordance with the Financial Regulations on schemes within the Cabinet Member for Finance, Property and Regeneration and terms of reference which form part of the approved capital programme.

## 9. STAFFING MATTERS

- (a) Staffing matters in respect of the functions falling within these terms of reference.

10. CONSULTATION

- (a) To consult with the other Cabinet Members on major matters affecting this portfolio, as appropriate, to enable them to maintain a general oversight across portfolios as described in their terms of reference.

## **CABINET MEMBER FOR HOUSING AND CUSTOMER SERVICES**

### **1. HOUSING SERVICES**

- (d) Housing Options Advisory Service and allocations;
- (e) Facilities for homeless accommodation including temporary accommodation.

### **2. SOCIAL HOUSING MANAGEMENT MATTERS**

- (a) Management and maintenance of the Council's housing stock (including properties managed by the Westminster Community Homes Charity and CityWest Homes Arms Length Management Organisation including any changes to current agreements with such bodies);
- (b) Asset Management of HRA land and property to ensure additional affordable housing is maximised;
- (c) Energy conservation; within Westminster's housing stock;
- (d) Rents of social housing dwellings (including charges for services) and housing benefits;
- (e) Allocation, transfer, exchange and inheritance of accommodation;
- (f) Provision of social and community facilities on housing estates;
- (g) Liaison with lessees' and tenants' associations;
- (h) Existing Sheltered and Special Needs housing;
- (i) CCTV on estates.

### **3. CUSTOMER SERVICES AND DIGITAL TRANSFORMATION**

- a) To oversee the Council's Customer Services programme including the website, Corporate Complaints and the monitoring of FOI responses.
- b) To oversee digital transformation of the Council's services in collaboration with other Cabinet Members and partner agencies where necessary.
- c) To be responsible for information, information systems, information technology, and telecommunications.

#### 4. CONTRACTS

Subject to the approved policies and procedures:

- (ii) (To agree the general levels of service for all term contracts that are being let for the first time. In the case of contracts being re-let over the value of £1.5m to approve the service levels only where, in the opinion of the Executive Director, there are significant changes to these since the last contract award.
- (iii) To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance, Property and Corporate Services on the basis that there are corporate or major implications which need to be considered.
- (iv) To monitor the performance of contracts relating to the Cabinet Member's terms of reference let by the said Cabinet Member for the first time or where the re-let of the contract has significant changes to service levels after the first six months after the award of the contract.
- (v) To monitor all contracts within the terms of reference of the Cabinet Member where the contract value exceeds £1,500,000 (£300,000 in respect of consultant's agreements).
- (vi) To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.
- (vii) To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
- (viii) To make decisions on requests for waiver of the Procurement Code in respect of contracts with overall values of more than £1,500,000 (£300,000 for consultancy agreements) for contracts within the Cabinet Member's terms of reference).
- (ix) (To consider such other contractual matters as may be required by the Procurement Code.
- (x) To consider settlement of disputes which exceed £150,000.
- (xi) To receive a briefing note advising of a contract award by a Executive Director or Corporate Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

5. FINANCIAL MATTERS

- a) To approve capital expenditure in accordance with the Financial Regulations on schemes within these terms of reference which form part of the approved capital programme.

6. STAFFING MATTERS

- a) Staffing matters in respect of matters within these Terms of Reference.
- b) Subject also to the endorsement of the Cabinet Member for Finance, Property and Corporate Services where proposals involve redundancy/"early retirement" payments.

7. ETHICAL STANDARDS

- a) To have responsibility for ensuring that all activities within the remit of the Cabinet Member are carried out having regard to the highest ethical standards.

8. CONSULTATION

- a) To consult with the other Cabinet Members on major matters affecting this portfolio, as appropriate, to enable them to maintain a general oversight across portfolios as described in their terms of reference.

## **CABINET MEMBER FOR PLACE SHAPING AND PLANNING**

### **1. PLACE SHAPING AND URBAN DESIGN**

- (a) To be responsible for the Council's overall Place Shaping approach including any non-statutory area based documents or strategies to which other Cabinet Members and Chief Officers shall have regard to when developing and making decisions on specific projects.
- (b) To be responsible for all executive functions relating to the Public Realm Capital Works Programme relating to these terms of reference, including Street Improvements and street furniture which in the opinion of the Executive Director for City Management have little or no impact on traffic, otherwise these will be approved together with the Cabinet Member for Environment and City Management.
- (c) To be responsible for the City Urban Design Strategy (including the Design Excellence campaign) and all Heritage related matters including the Westminster World Heritage site.
- (d) To be responsible for public art projects, the Council's Green Plaque Scheme, urban design and the Council's City of Sculpture.

### **2. PLANNING FUNCTIONS**

- (a) To have primary responsibility for the Council's executive functions under the Planning Acts following consultation as considered appropriate with the Chairman of the Planning Applications Committees or the relevant Policy and Scrutiny Committee. To make further decisions and undertake further action to progress Westminster's local plan, supplementary planning documents and all other related documentation as required under the Town and Country Planning Act 1990 (as amended) and the Planning and Compulsory Purchase Act 2004 (as amended).
- (b) To have responsibility for managing consultations by and responses to other national and strategic planning authorities.
- (c) To have responsibility, on behalf of the City Council for the London Plan, as relevant to the City Council.
- (d) To set the strategic direction of planning policy and its implementation (following consultation as required by statute or considered appropriate with the Chairman of the Planning Applications Committees or the relevant Policy and Scrutiny Committee) including as may be necessary, engagement with applicants and prospective applicants concerning the adherence to policy expectations of any application being pursued or intending to be pursued.
- (e) Together with the Chairman of the Planning Applications Committees to review and monitor compliance by applicants and planning committees with the Council's planning policy.

- (f) To have oversight of all other planning matters including Planning Performance Agreements and planning enforcement.
  - (g) Sustainable urban drainage matters in consultation, as appropriate with the Cabinet Member for Environment and City Management.
3. BUILDING CONTROL/STREET NAMING
- (a) To be responsible for the City Council's Building Control and Street Naming functions.
4. LONDON LOCAL AUTHORITIES ACT 2007
- (a) To be responsible for all executive functions relating to Portable Advertisement Designation Areas in accordance with powers contained in the London Local Authorities Act 2007 and any other planning matters contained in this enactment not included in any other Cabinet Members terms of reference.
5. GRANTS
- (a) To have responsibility for decisions on grants related to Planning matters.
6. TREES
- (a) To have responsibility for tree planting in consultation as appropriate with the Cabinet Member for Environment and City Management.
7. COMPULSORY PURCHASE ORDERS
- (a) To be responsible for all strategic decisions relating to issuing of Compulsory Purchase Orders (CPOs), except in matters relating to the Council's Housing and the functions (which will be the responsibility of the Cabinet Member for Finance, Property and Regeneration).
8. NEIGHBOURHOOD PLANNING
- (a) To have responsibility for any matters emanating from the Localism Act in relation to neighbourhood planning, and in particular:
    - the designation of neighbourhood areas and forums;
    - the fulfilment of the City Council's legal obligation to support the neighbourhood planning process; and
    - all required procedures relating to the development of Neighbourhood Plans including advising on general conformity.



9. COMMUNITY INFRASTRUCTURE LEVY

- (a) To have responsibility for any matters relating to the administration of the Community Infrastructure Levy as a collecting authority on behalf of the Mayor of London, and implementation of a Westminster Community Infrastructure Levy as a charge setting authority, within the meaning of the Planning Act 2008. This includes administering the distribution of appropriate funds to parish councils and allocations of funding for neighbourhoods..

10. SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990

- (a) To manage the Section 106 fund and commitments, other than those S106 funds and commitments made to the affordable housing fund, which are within the remit of the Cabinet Member for Finance, Property and Regeneration.

11. STAFFING MATTERS

- (a) Staffing matters in respect of those matters within these terms of reference.
- (b) Subject also to the endorsement of the Cabinet Member for Finance, Property and Regeneration where proposals involve redundancy/"early retirement" payments.

12. FINANCIAL MATTERS

- (a) To approve capital expenditure in accordance with the Financial Regulations on schemes within this terms of reference which form part of the approved capital programme.

13. CONTRACTS

- (a) Subject to the policies and procedures approved by the Cabinet Member for Finance, Property and Regeneration:
  - 1. To agree the general levels of service for all term contracts that are being let for the first time. In the case of contracts being re-let over the value of £1.5m to approve the service levels only where, in the opinion of the Executive Director, there are significant changes to these since the last contract award.
  - 2. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance, Property and Regeneration on the basis that there are corporate or major implications which need to be considered.

3. To monitor the performance of contracts relating to the Cabinet Member's terms of reference let by the said Cabinet Member for the first time or where the re-let of the contract has significant changes to service levels after the first six months after the award of the contract.
4. To monitor all contracts within the terms of reference of the Cabinet Member where the contract value exceeds £1,500,000 (£300,000 in respect of consultant's agreements).
5. To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.
6. To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
7. To make decisions on requests for waiver of the Procurement Code in respect of contracts with overall values of more than £1,500,000 (£300,000 for consultancy agreements) for contracts within the Cabinet Member's terms of reference).
8. To consider such other contractual matters as may be required by the Procurement Code.
9. To consider settlement of disputes which exceed £150,000.
10. To receive a briefing note advising of a contract award by an Executive Director or Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

#### 14. ETHICAL STANDARDS

- (a) To have responsibility for ensuring that all activities within the remit of the Cabinet Member are carried out having regard to the highest ethical standards.

#### 15. CONSULTATION

- (a) To consult with the other Cabinet Members on major matters affecting this portfolio, as appropriate, to enable them to maintain a general oversight across portfolios as described in their terms of reference.

## **CABINET MEMBER FOR PUBLIC PROTECTION AND LICENSING**

### **1. PUBLIC PROTECTION**

To oversee the City Council's approach to reducing crime, disorder and anti-social behaviour:

- (a) Crime and Disorder Reduction Strategy.
- (b) To represent the Council on the Safer Westminster Partnership.
- (c) All Police relationships including Safer Neighbourhoods Teams and consultative forums.
- (d) Domestic abuse, including the MARAC process.
- (e) Enforcement activities in relation to antisocial behaviour, nuisance and other beaches of relevant legislation falling within this Terms of Reference. This includes waste enforcement activity
- (f) Integrated Neighbourhood Services.
- (g) City Inspectors.

### **2. LICENSING AND THE EVENING AND NIGHT TIME ECONOMY**

- a) To be responsible for the City Council's Licensing policy and functions including Licensing Enforcement and, in particular, all matters in connection with the Licensing Act 2003 and the Gambling Act 2005, in consultation with the Chairman of the Licensing Committee.
- b) All matters in connection with the Licensing Act 2003 and the Gambling Act 2005 in consultation with the Chairman of the Licensing Committee.
- c) Strategic oversight of the evening and night time economy, in consultation with other Cabinet Members as appropriate, most notably the Cabinet Member until Place Shaping and Planning and the Cabinet Member for Economic Development, Education and Community.

### **3. ENVIRONMENTAL HEALTH**

- a) To be responsible for the City Council's Trading Standards, Noise and Environmental Services Team, including Pest Control and Commercial and Private Residential and Environmental Health and Street Trading enforcement including street markets. Decisions on street trading and street markets should be taken in consultation with the Cabinet Member for Economic Development, Education and Community.

4. MORTUARIES

- (a) To be responsible for the Mortuaries service.

5. ROUGH SLEEPING

- (a) To lead on the issues arising from Rough Sleeping and prevention of Rough Sleeping, including hostels. To liaise with the Cabinet Member for Housing and Customer Services on the provision of rough sleeping services.

6. STAFFING MATTERS

- (a) Staffing matters in respect which fall within the scope of these Terms of Reference, including all staff working within the Public Protection & Licensing Directorate save for the Road Management Team.
- (b) Subject also to the endorsement of the Cabinet Member for Finance, Property and Regeneration where proposals involve redundancy/"early retirement" payments.

7. CONTRACTS

Subject to the policies and procedures approved by the Cabinet Member for Finance, Property and Regeneration.

1. To agree the general levels of service for all term contracts that are being let for the first time. In the case of contracts being re-let over the value of £1.5m to approve the service levels only where, in the opinion of the Executive Director, there are significant changes to these since the last contract award.
2. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance, Property and Regeneration on the basis that there are corporate implications which need to be considered.
3. To monitor the performance of contracts relating to the Cabinet Member's terms of reference let by the said Cabinet Member for the first time or where the re-let of the contract has significant changes to service levels after the first six months after the award of the contract.
4. To monitor all contracts within the terms of reference of the Cabinet Member where the contract value exceeds £1,500,000 (£300,000 in respect of consultant's agreements).

5. To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million or where the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.
6. To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
7. To make decisions on requests for waiver of the Procurement Code in respect of contracts with overall values of more than £1,500,000 (£300,000 for consultancy agreements) for contracts within the Cabinet Member's terms of reference).
8. To consider such other contractual matters as may be required by the Procurement and Contracts Code.
9. To consider settlement of disputes which exceed £150,000.
10. To receive a briefing note advising of a contract award by an Executive Director or Leadership team member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

## 8. ETHICAL STANDARDS

To have responsibility for ensuring that all activities within the remit of the Cabinet Member are carried out having regard to the highest ethical standards.

## 9. CONSULTATION

To consult with other Cabinet Members on major matters affecting this portfolio, as appropriate, to enable them to maintain a general oversight across portfolios as described in their terms of reference.

**THE CABINET**

**1. CONSTITUTION**

The Leader and the other members of the Cabinet as appointed by her not exceeding 10 Members (including the Leader).

**2. TERMS OF REFERENCE**

Subject always to the budget and policy framework approved by the full Council; executive functions in relation to the following:

**(1) POLICY PLANNING AND ADVICE**

- (a) to approve, unless this function is being carried out by the Cabinet Member prior to submission to the full Council for adoption, or submission to the Secretary of State, the following Plans and Strategies: Annual Library Plan, Children and Young People's Strategic Plan, Programme for a Healthier Westminster, Community Strategy (the Westminster City Plan), Crime and Disorder Reduction Strategy, Early Years Development Plan, Education Development Plan, Local Development Framework, Youth Justice Plan and to make any proposals to full Council that are contrary to any of the above approved Plans and Strategies;
- (b) to keep under review the Council's objectives and to co-ordinate plans for their achievement;
- (c) within the framework approved by full Council to determine overall Council priorities for services and projects and to re-allocate financial and other resources therefore;
- (d) to require Cabinet Members to consider or to review the detailed application of service policies;
- (e) to consider all matters which, in the opinion of the Leader of the Council or the Chief Executive, involve questions of major policy or which requires co-ordination of decisions between Cabinet Members;
- (f) to advise Cabinet Members on such matters as have been referred by them for such advice or upon which the Cabinet considers they should have done;
- (g) To determine matters within the terms of reference of individual Cabinet Members where a dispute has arisen on the matter in question between the relevant Cabinet member and the Chairman of the relevant Policy and Scrutiny Committee;

- (h) To meet any other requirements incumbent on the Cabinet as set out in the Constitution.

(2) BUDGET PREPARATION AND FINANCIAL MANAGEMENT

- (a) within the framework approved by the full Council the overall control of the finances of the Council;
- (b) to consider and submit for approval annually a programme of capital expenditure and its revenue implications for the General Fund and the Housing Revenue Account for the succeeding five years and the capital estimates for the next financial year;
- (c) to indicate to Cabinet Members the limits within which revenue budgets - including the Housing Revenue Account, shall be framed for approval by the Council and to examine their individual revenue forecasts;
- (d) to recommend to the Council for approval the annual revenue and capital estimates and the Council Tax levied after making provision for contingencies and balances and taking into account any other factor that may affect the level of the Council Tax and the National Non Domestic Rate.
- (e) to take decisions on any supplementary estimates requests where the Cabinet Member for Finance, Corporate and Customer Services is minded to defer or refuse a request.
- (f) to recommend for approval any strategy or plan for the control of the Council's capital expenditure or borrowing.

(3) DEPARTMENTAL ORGANISATION

To have responsibility for the Departmental Organisation of the City Council.

## **TERMS OF REFERENCE OF THE URGENCY COMMITTEE OF THE CABINET**

### **CONSTITUTION**

3 Members of the Cabinet, as notified to the Chief Executive by the Leader of the Council or in his/her absence the Deputy Leader of the Council.

### **TERMS OF REFERENCE**

1. All matters, within the terms of reference of the Cabinet, which the Urgency Committee of the Cabinet is satisfied are Urgent and cannot wait for a decision by the Cabinet at its next programmed meeting.
2. To make a recommendation direct to the Council on any urgent matters which by statute or under the City Council's executive arrangements must be determined by full Council.



## **CABINET CIL COMMITTEE**

### **1. CONSTITUTION**

3 members of the Cabinet as appointed by the Leader.

### **2. TERMS OF REFERENCE**

- (i) To provide Member oversight of implementation and collection of CIL
- (ii) To provide Member oversight of the engagement processes with neighbourhoods and others.
- (iii) To agree the regulation of the statutory list of infrastructure that might be funded through CIL.
- (iv) To take decisions on spend proposals for CIL and strategic section 106 funds submitted by the officer working group or to refer decisions to Cabinet as appropriate.
- (v) To steer the two yearly reviews of the Westminster CIL already committed to.

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City of Westminster

## Annual Council Report

<b>Date:</b>	<b>16 May 2018</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Constitutional Matters</b>
<b>Report of:</b>	<b>Chief Executive and Director of Law</b>
<b>Wards Involved:</b>	<b>Not applicable</b>
<b>Policy Context:</b>	<b>Management of the Council</b>
<b>Financial Summary:</b>	<b>None</b>
<b>Report Author and Contact Details:</b>	<b>Mick Steward</b> <b>Tel: 020 7641 3134</b> <b>Email: <a href="mailto:msteward@westminster.gov.uk">msteward@westminster.gov.uk</a></b>

### 1. Summary

- 1.1 Following the City Council Elections on 3 May 2018, the Chief Executive has received notification from the political groups of the names of the Members which will form the Majority Party and the Minority Party of the Council. These Members will be appointed to serve on Standing Committees, Standing Sub-Committees and subsidiary bodies by the Chief Executive in accordance with notification received by the respective Party Leaders/Whips.
- 1.2 As a result of changes to the Cabinet portfolios notified by the Leader a review of Policy and Scrutiny Committees Terms of Reference has been carried out. Proposals for the revised Committees and their terms of reference are as set out in this report.
- 1.3 The Council is required to confirm the proportional division of seats on the Standing Committees and to note the Members appointed to them. The Committees are required to appoint and confirm the proportional division of seats on their Sub-Committees and subsidiary bodies, and to note the Members appointed to them. The Committees will meet on the rising of the Annual Council Meeting to do this and with the exception of the Westminster Scrutiny Commission appoint their Chairmen, agree the appointment of their Sub-Committees and related matters.
- 1.4 The Joint Committees are detailed in Article 11 of the Constitution. The Council is asked to endorse these.

- 1.5 A minor change to reflect provision for an inflationary increase of 2% to the Basic and Special Responsibility Members Allowances is proposed.

## 2. Recommendations

- 2.1 That the Standing Committees be established as listed in 2.2 below and their Terms of Reference as set out in Appendix A be approved.
- 2.2 That the Council confirm the proportional division of seats on the Standing Committees as shown in column 3 of Appendix B, circulated separately, as set out below:

Committee	Members	Proportionality	
		Con	Labour
Audit and Performance	4	3	1
General Purposes	4	3	1
Westminster Scrutiny Commission	6	4	2
Family & People Services P&S	8	5	3
City Management & Public Protection P&S	8	5	3
Economic Development, Education, Community and Place Shaping P&S Committee	8	5	3
Housing, Finance and Customer Services P&S	8	5	3
Standards	6	4	2
Pensions Fund	4	3	1
Planning & City Development	19	14	5
Licensing Committee	15	11	4
	90	62	28

- 2.3 That the Council note the Members appointed to the Standing Committees by the Chief Executive following notification received from the respective party Chief Whip under the Local Government (Committees and Political Groups) Regulations 1990 as amended, set out in Appendix B, to be tabled.
- 2.4 That the Council's Constitution, including the Scheme of Delegations to Officers in respect of Non-Executive functions, be endorsed.
- 2.5 That the Joint Committees established in accordance with Section 101 of the Local Government Act 1972, as detailed in paragraph 3.8 below, be agreed.
- 2.6 That the Members Allowances Scheme be amended to reflect a 2% increase in the Basic Allowance and each Special Responsibility Allowance with effect from 1 June 2018 and officers be authorised to amend the Scheme accordingly.

**3. Background**

3.1 The Local Government and Housing Act 1989 requires local authorities, where Members are divided into political groups, to review periodically the representation of the political groups on their Committees and Sub-Committees to ensure a political balance.

3.2 The following principles apply to the allocation of seats:

- (a) That not all the seats on the body to which appointments are being made are allocated to the same political group;
- (b) That the majority of seats on each Committee are allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) That, subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council must reflect their proportion of the authority's membership; and
- (d) Subject to (a) to (c), that the number of seats on each committee is, as far as possible, in proportion to the group's membership of the authority.

3.3 Sub-Committees are also governed by the political balance rules, but it is not necessary to add up all the Sub-Committee seats and then allocate them in proportion. As far as this is practicable, the allocation of seats on each Sub-Committee should reflect the proportional representation of the political groups on the Council.

3.4 Following the City Council Elections on 3 May 2018 the Conservative and Labour Groups hold, respectively, 41 and 19 of the total of 60 Council seats. The proportion by which seats on Committees should be allocated is 68.33% Majority Group and 31.66% Minority Group. The Chief Whip of the Majority Party has proposed the allocation of committee seats detailed above in paragraph 2.2. On the basis of the 90 committee seats proposed, this equates, with rounding, to 62 Majority Party and 28 Minority Party seats. The Chief Executive and the Director of Law have confirmed that this proposed allocation is in accordance with the proportionality rules. Whilst the membership of the Planning and City Development Committee is slightly contrary to strict proportionality it is considered reasonable given the desire to appoint to it all Members who are appointed to serve on the Planning Applications Sub-Committees a position on the main Committee. For the information of the Council these Sub-Committees are as follows:

Planning (Major Applications) Sub-Committee	7	5	2
Planning Applications (1)	4	3	1
Planning Applications (2)	4	3	1
Planning Applications (3)	4	3	1

- 3.5 Membership of the Council's Standing Committees and Sub-Committees is governed by Standing Order 28 which, in accordance with the Local Government (Committees and Political Groups) Regulations 1990, as amended, provides for Members of Standing Committees and Sub-Committees to be those whose names have been notified to the Chief Executive, who is the duly appointed proper officer for these purposes. The Chief Executive has the delegated power to appoint to all Standing Committees and Sub-Committees in accordance with notifications received from Party officers under the Regulations.
- 3.6 Both political groups on the Council have to notify the Chief Executive of the names of the Members to serve on the Standing Committees, Sub-Committees and subsidiary bodies. It is for the Council to note the Standing Committee memberships as set out in Appendix B to this report, to be tabled, and for the Standing Committees, who are scheduled to meet following this Council meeting, to note their Sub-Committee memberships. In addition the Standing Committees will be asked to appoint their Chairmen and confirm the terms of reference of their Sub-Committees, as set out in the Constitution.
- 3.7 The City Council is required to appoint a Licensing Committee in accordance with the Licensing Act 2003. In accordance with the provisions of the Licensing Act the minimum number of Members who can be appointed to the Licensing Committee is 10 and the maximum 15. The Council, as the busiest Licensing authority, has always appointed the maximum.
- 3.8 The responsibility for the delegation of executive functions sits with the Leader who allocates these to the full Cabinet, a Cabinet Committee, a Cabinet Member or an Officer. The nominated Leader of the Council has confirmed that she is content with the Scheme of Delegations for executive functions to Officers as set out in the Constitution. The terms of reference of the Cabinet, Cabinet Committees and Cabinet Members are set out elsewhere on this agenda.
- 3.9 At present, the constitution of the Planning and City Development Committee consists of 16 members who are also members of the Planning Applications Sub-Committees. It is proposed to establish a new Planning (Major Applications) Sub-Committee to consist of 7 members (5:2) to consider those major planning applications which require determination of the Council as a planning authority. In order to allow those members who sit on the Planning Applications Sub-Committee it is proposed to increase the membership of the Planning and City Development Committee to accommodate all such members.
- 3.10 The City Council has a number of Joint Committees established in accordance with Section 101 of the Local Government Act 1972. These are as follows:
- (a) The London Councils Grants Committee
  - (b) The London Councils Transport and Environment Committee
  - (c) The London Councils – Leaders Committee
  - (d) The North West London Joint Health Overview and Scrutiny Committee

3.11 The Council is asked to endorse the Constitution which can be found on the Council's website: [www.westminster.gov.uk](http://www.westminster.gov.uk). Officers have delegated authority to keep the Constitution up-to-date. The Council is asked to note that revisions to the Constitution will be reported via the General Purposes Committee in the coming months. Otherwise the Constitution is kept up-to-date by Officers under delegated powers.

#### **4. Financial Implications**

4.1 Provision has been made in the Council's 2018-2019 budget for an increase in the Members Allowances of 2% - to match the increase being paid to officers. Whilst a fuller review of allowances will take place in the summer will make the present scheme fit for purpose pending the outcome of the fuller review. The change proposed accords with the findings of the Independent Panel. Accordingly, a 2% increase is proposed to the Basic Allowance and each of the Special Responsibility Allowances with effect from 1 June 2018.

#### **5. Legal Implications**

5.1 The Council is required to carry out a review of seats at least annually in accordance with the Local Government and Housing Act 1989 and the Local Government (Committee and Political Groups) Regulations 1990. These requirements are reflected in this report.

5.2 The Local Authorities (Members' Allowances)(England) Regulations 2003 provide that the Council may amend its Members' Allowances Scheme in year. It is required to publish the amended scheme and give notice of such amendment in the local press.

**If you have any queries about this report or wish to inspect any of the background papers please contact Mick Steward on  
020 7641 3134; Fax No: 020 7641 2042;  
Email: [msteward@westminster.gov.uk](mailto:msteward@westminster.gov.uk)**

#### **Appendices:**

- Appendix A – Terms of Reference of the Committees
- Appendix B – Memberships of the Standing Committees (*to be tabled*)

## **WESTMINSTER SCRUTINY COMMISSION**

### **CONSTITUTION**

6 Members of the Council (4 nominated by the Majority Party and 2 by the Minority Party), but shall not include a member of the Cabinet.

### **TERMS OF REFERENCE**

- (a) To carry out those duties assigned to the Westminster Scrutiny Commission as set out in the Constitution.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with the Policy and Scrutiny procedure rules.
- (c) To be responsible for the management and co-ordination of the Policy and Scrutiny function.
- (d) To assign tasks to the most appropriate Policy and Scrutiny Committee, where the issue does not sit within the terms of reference of a particular Policy and Scrutiny Committee.
- (e) To scrutinise the work of the Leader of the Council including at public Question and Answer session(s).
- (f) To approve the Annual Report of Policy and Scrutiny activity, as required under the Constitution.



## **STANDARDS COMMITTEE TERMS OF REFERENCE**

### **CONSTITUTION**

6 Members of the Council, 4 Majority Party Members and 2 Minority Party Member.

### **TERMS OF REFERENCE**

- (a) To promote and maintain high standards of conduct by the Members and Co-opted Members of the City Council.
- (b) To advise the City Council on the adoption or revision of a Code of Conduct for Members.
- (c) Advising, training or arranging to train Members and Co-opted Members on matters relating to the City Council's Code of Conduct for Members.
- (d) To assist Members and Co-opted Members to observe the City Council's Code of Conduct for Members.
- (e) To monitor the operation of the Code of Conduct for Members.
- (f) Consider reports referred to the Committee by ethical standards officers or the Monitoring Officer of investigations into alleged breaches of the City Council's Code of Conduct for Members.
- (g) Where necessary, to conduct hearings into allegations of breaches of the said code, and interview officers, Members and others as required.
- (h) Determining whether allegations of breaches of the said code are made out and determining what action, if any, to take in relation hereto including, where it is determined that a breach has occurred, deciding what sanctions, if any, should be applied in relation to the Member or Member concerned (and for the avoidance of doubt, the Committee shall only have power to impose any sanction authorised by law).
- (i) Consider any complaints in respect of Members referred to the Committee under the City Council's "Whistleblowing" procedure and determining the action to be taken, if any.
- (j) To the extent allowed by the Law, granting dispensations in relation to Member and co-opted Member interests as referred to in the Members Code of Conduct.
- (k) To consider, advise and, if appropriate, take action upon other Member conduct issues not otherwise dealt with under these terms of reference.

## **PENSION FUND COMMITTEE**

### CONSTITUTION

4 Members of the Council (3 Majority Party Members and 1 Minority Party Member)

### TERMS OF REFERENCE

To have responsibility for all aspects of the investment and other management activity of the Council's Pension Fund, including, but not limited to, the following matters:

- (a) To agree the investment strategy having regard to the advice of the Fund Managers and the independent adviser.
- (b) To monitor performance of the Fund and of the individual Fund Managers;
- (c) To determine the Fund management arrangements, including the appointment and termination of the appointment of the Fund Managers, Custodians and Fund Advisers.
- (d) To agree the Statement of Investment Principles, the Funding Strategy Statement, the Business Plan for the Fund, the Governance Policy Statement, the Communications Policy Statement and the Governance Compliance Statement and to ensure compliance with these.
- (e) To approve and publish the pension fund annual report.
- (f) To prepare and publish a pension administration strategy.
- (g) To make an admission agreement with any admission body.
- (h) To ensure compliance with all relevant statutes, regulations and best practice with both the public and private sectors.
- (i) To determine the compensation policy on termination of employment and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).
- (j) To determine policy on the award of additional membership of the pension fund and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).
- (k) To determine policy on the award of additional pension and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).

- (l) To determine policy on retirement before the age of 60 and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).
- (m) To determine a policy on flexible retirement and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee). To determine questions and disputes pursuant to the Internal Disputes Resolution Procedures.
- (n) To determine any other investment or pension policies that may be required from time to time so as to comply with Government regulations and to make any decisions in accordance with those policies other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).

## **CITY MANAGEMENT AND PUBLIC PROTECTION POLICY AND SCRUTINY COMMITTEE**

### CONSTITUTION

8 Members of the Council (5 Majority Party Members and 3 Minority Party Members).

### TERMS OF REFERENCE

- (a) To carry out the Policy and Scrutiny functions, as set out in Article 6 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Cabinet Member for Environment and City Management and the Cabinet Member for Licensing and Public Protection.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (c) Matters within the broad remit of the Cabinet Members referred to in (a) above which are the responsibility of external agencies.
- (d) Any other matter allocated by the Westminster Scrutiny Commission (WSC).
- (e) To have the power to establish ad hoc or Standing Sub-Committees as Task Groups to carry out the scrutiny of functions within these terms of reference.
- (f) To scrutinise the duties of the Lead Members which fall within the remit of the Committee or as otherwise allocated by the Westminster Scrutiny Commission.
- (g) To scrutinise any Bi-borough proposals which impact on service areas that fall within the Committee's terms of reference
- (h) To oversee any issues relating to Performance that fall within the Committee's terms of reference.
- (i) To have the power to scrutinise those partner organisations whose services fall within the Committee's terms of reference.
- (j) To consider any Councillor Calls for Action referred by a Ward Member to the Committee.

## **FAMILIES AND PEOPLE SERVICES POLICY AND SCRUTINY COMMITTEE**

### **CONSTITUTION**

8 Members of the Council (5 Majority Party Members and 3 Minority Party Member), but shall not include a Member of the Cabinet.

### **TERMS OF REFERENCE**

- (a) To carry out the Policy and Scrutiny functions, as set out in Article 6 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Cabinet Member for Families and Public Health.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (c) Matters within the broad remit of the Cabinet Members referred to in (a) above which are the responsibility of external agencies and in particular to scrutinise matters relating to the provision of Health Services within Westminster, including the consideration of any reports referred by the local Health Watch.
- (d) To scrutinise the duties of the Lead Members which fall within the remit of the Committee or as otherwise allocated by the Westminster Scrutiny Commission.
- (e) To scrutinise any Bi-borough proposals which impact on service areas that fall within the Committee's terms of reference.
- (f) Any other matter allocated by the Westminster Scrutiny Commission.
- (g) To have the power to establish ad hoc or Standing Sub-Committees as Task Groups to carry out the scrutiny of functions within these terms of reference.
- (h) To oversee any issues relating to Performance within the Committee's terms of reference.
- (i) To have the power to scrutinise those partner organisations that are relevant to the remit of the Committee.
- (j) To consider any Councillor Calls for Action referred by a Ward Member to the Committee.
- (k) To discharge the Council's statutory responsibilities under Section 7 and 11 of the Health and Social Care Act 2001 with regard to any planned substantial developments and variations to NHS services.
- (l) To oversee strategic and accountability issues within local health commissioners and providers.

## **ECONOMIC DEVELOPMENT, EDUCATION, COMMUNITY AND PLACE SHAPING POLICY AND SCRUTINY COMMITTEE**

### **CONSTITUTION**

8 Members of the Council (5 Majority Party Members and 3 Minority Party Members, but shall not include a Member of the Cabinet.

4 co-opted Members with voting rights ie one co-opted representative each from the Church of England and Roman Catholic Diocesan Education Boards and two Parent Governor Representatives. 2 co-opted Members without voting rights, ie 2 Headteachers of Westminster maintained schools.

NB: The voting rights of the co-opted only extend to matters relating to Education.

### **TERMS OF REFERENCE**

- (a) To carry out the Policy and Scrutiny functions, as set out in Article 6 of the Constitution, in respect of matters relating to all those duties within the terms of reference of the Cabinet Member for Economic Development, Education and Community and the Cabinet Member for Place Shaping and Planning.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (c) Matters, within the broad remit of the Cabinet Members referred to in (a) above which are the responsibility of external agencies.
- (d) Any other matter allocated by the Westminster Scrutiny Commission.
- (e) To have the power to establish ad hoc or Standing Sub-Committees as Task Groups to carry out the Scrutiny of functions within these terms of reference.
- (f) To scrutinise the duties of the Lead Members which fall within the remit of the Committee or as otherwise allocated by the Westminster Scrutiny Commission.
- (g) To scrutinise any Bi-borough proposals which impact on service areas that fall within the Committee's terms of reference
- (h) To oversee any issues relating to Performance that fall within the Committee's terms of reference.
- (i) To have the power to scrutinise those partner organisations that are relevant to the remit of the Committee.
- (j) To consider any Councillor Calls for Action referred by a Ward Member to the Committee.

## **HOUSING, FINANCE AND CUSTOMER SERVICES POLICY AND SCRUTINY COMMITTEE**

### **CONSTITUTION**

8 Members of the Council (5 Majority Party Members and 3 Minority Party Members), but shall not include a Member of the Cabinet.

### **TERMS OF REFERENCE**

- (a) To carry out the Policy and Scrutiny functions, as set out in Article 6 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Cabinet Member for Housing and Customer Services, and the Cabinet Member for Finance, Property and Regeneration.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (c) Matters within the broad remit of the Cabinet Members referred to in (a) above which are the responsibility of external agencies.
- (d) Any other matter allocated by the Westminster Scrutiny Commission.
- (e) To have the power to establish ad hoc or Standing Sub-Committees as Task Groups to carry out the scrutiny of functions within these terms of reference.
- (f) To scrutinise the duties of the Lead Members which fall within the remit of the Committee or as otherwise allocated by the Westminster Scrutiny Commission.
- (g) To scrutinise any Bi-borough proposals which impact on service areas that fall within the Committee's terms of reference.
- (h) To oversee any issues relating to Performance within the Committee's terms of reference.
- (i) To have the power to scrutinise those partner organisations under a duty to that are relevant to the remit of the Committee.
- (j) To consider any Councillor Calls for Action referred by a Ward Member to the Committee.

## **PLANNING AND CITY DEVELOPMENT COMMITTEE**

### **CONSTITUTION**

19 members of the Council (14 Majority party members and 5 Minority party members). Such members to be members of the Planning Applications Sub-Committees (Nos 1 to 4) and the Planning (Major Applications) Sub-Committee

### **TERMS OF REFERENCE**

- (a) To consider proposed local plan policies (and supplementary planning documents) at appropriate stages of the statutory process for their preparation and adoption and make recommendations to the relevant Cabinet Member.
- (b) To have oversight of the practices and procedures of the Planning (Major Applications) Sub-Committee, Planning Applications Sub-Committees (but not to consider individual planning applications) making recommendations where necessary to officers, Planning Applications Sub-Committees and/or the Cabinet for Planning and Public Realm.
- (c) To consider and recommend a training programme for members of the Planning Applications Sub-Committees.



## LICENSING COMMITTEE

### CONSTITUTION

15 Members of the Council. 11 nominated by the Majority party and 4 nominated by the Minority party.

### TERMS OF REFERENCE

- (a) All matters relating to the discharge by the Authority of its licensing functions as required by Section 7(1) of the Licensing Act 2003.
- (b) To receive reports on Licensing Act 2003 matters, as required by the Council's Policy Statement on Licensing.
- (c) To agree procedures for operation by the Licensing Committee and the Licensing Sub-Committees when conducting hearings and other functions within their terms of reference.
- (d) To establish Licensing Sub-Committees and approve their terms of reference.
- (e) To be responsible for those matters more fully set out in the terms of reference of the Licensing Sub-Committee and to determine any matter referred to it by a Licensing Sub-Committee.
- (f) To consider any reports which are required by Statute to be submitted to the Licensing Committee.
- (g) To be responsible for the delegation to Officers of licensing functions as defined by the Licensing Act 2003 and the other functions included within these Terms of Reference.
- (h) Procedures for the conduct of business at the Officer Panel and the Licensing Sub-Committees, including all matters in respect of the processing of applications.
- (i) Non-executive matters in respect of the Council's Street Markets and all other non-executive Street Trading matters.
- (j) Non-executive matters in respect of licensing functions within these terms of reference and those of the Licensing Sub-Committees.
- (k) The grant, approval, review, refusal, revocation, renewal, transfer of variation of any licence, registration, certificate, consent, permit, approval of permission, except where such function is within the terms of reference of a Cabinet Member or such specific matter is being discharged by a Licensing Sub-Committee.
- (l) All non-executive functions relating to the Gambling Act 2005.

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